

1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Kentucky Department of Education

4 (New Administrative Regulation)

5 704 KAR 3:306. Kentucky Academic Standards for Historical and Cultural Influences of the
6 Bible Elective Social Studies Course.

7 RELATES TO: KRS 156.070, 156.160, 156.162, 158.197, 158.6451, 160.290

8 STATUTORY AUTHORITY: 156.070, 156.160, 156.162

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.160 requires the Kentucky Board
10 of Education to establish courses of study for the different grades and kinds of common schools,
11 with the courses of study to comply with the expected goals, outcomes, and assessment strategies
12 developed under KRS 158.645, 158.6451 and 158.6453. KRS 156.162(4) requires the Kentucky
13 Board of Education to include course standards in the program of studies for Kentucky schools.
14 KRS 156.070(1) requires the Kentucky Board of Education to manage and control the common
15 schools and all programs operated in the schools. KRS 160.290 authorizes local boards of
16 education to provide for courses and other services for students consistent with the
17 administrative regulations of the Kentucky Board of Education. KRS 156.162 requires the
18 Kentucky Board of Education to promulgate an administrative regulation for course standards for
19 an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New
20 Testament of the Bible; or a combination of the Hebrew Scriptures and the New Testament of the

Bible. This administrative regulation incorporates by reference the Kentucky Academic Standards for Historical and Cultural Influences of the Bible Elective Social Studies Course.

Section 1. Schools offering an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New Testament of the Bible; or a combination of the Hebrew Scriptures and the New Testament of the Bible shall meet the minimum content requirements established in the Kentucky Academic Standards for Historical and Cultural Influences of the Bible Elective Social Studies Course.

Section 2. Incorporation by Reference. (1) The “Kentucky Academic Standards for Historical and Cultural Influences of the Bible Elective Social Studies Course,” June 2018, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Education, 5th floor, 300 Sower Boulevard, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

6-11-18
(Date)

Wayne D. Lewis
Wayne D. Lewis, Ph.D.
Commissioner of Education

6-11-18
(Date)

Milton Seymore by M-M.
Milton Seymore, Chairperson
Kentucky Board of Education

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this proposed administrative regulation shall be held on July 23, 2018, at 10:00 a.m. in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through July 31, 2018. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

CONTACT PERSON: Todd Allen, Interim General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5th Floor, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321; email regcomments@education.ky.gov

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 704 KAR 3:306
Contact Person: Todd Allen todd.allen@education.ky.gov
Phone number: 502-564-4474

(1) Provide a brief summary of:

(a) What this administrative regulation does: KRS 156.162 required the Kentucky Department of Education (KDE) to develop course standards for an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New Testament; or a combination of the Hebrew Scriptures and the New Testament of the Bible. This regulation fulfills the requirements of KRS 156.162.

(b) The necessity of this administrative regulation: KRS 156.162 required the Kentucky Department of Education (KDE) to develop course standards for an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New Testament; or a combination of the Hebrew Scriptures and the New Testament of the Bible. This regulation fulfills the requirements of KRS 156.162.

(c) How this administrative regulation conforms to the content of the authorizing statute: The regulation conforms to KRS 156.162 by creating the course standards for an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New Testament; or a combination of the Hebrew Scriptures and the New Testament of the Bible as required by the statute. Also, the administrative regulation conforms to 158.197 by providing course standards if a School-Based Decision Making (SBDM) council wants to offer this elective class for grades nine through twelve.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: The regulation conforms to KRS 156.162 by creating the course standards for an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New Testament; or a combination of the Hebrew Scriptures and the New Testament of the Bible as required by the statute. Also, the administrative regulation conforms to 158.197 by providing course standards if a School-Based Decision Making (SBDM) council wants to offer this elective class for grades nine through twelve.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: NA

(b) The necessity of the amendment to this administrative regulation: NA

(c) How the amendment conforms to the content of the authorizing statute: NA

(d) How the amendment will assist in the effective administration of the statutes: NA

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Those affected by this regulation include: all public

schools, school districts, school councils, and the KDE as it will be responding to questions related to this administrative regulation.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Therefore, no action is required on their part unless they offer the elective course. If they do choose to offer the course, they will be required to follow the standards outlined in the document incorporated by reference in 704 KAR 3:306. Any course offering will be expected to follow all applicable laws and federal and state guidelines in maintaining religious neutrality and accommodating the diverse religious views, traditions and perspectives of students in the school and any course offering shall not endorse, favor, promote, disfavor or show hostility toward any particular religion, non- religious faith or religious perspective.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Therefore, no action is required on their part unless they offer the elective course. The Department does not typically create standards for elective courses, however, since the development of those standards was required by statute, the Department spent approximately \$1,200.00 as of the date of filing in the development of the standards in addition to staff time. Additional staff time will be needed as the regulation moves through the legislative and implementation process.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. However, if the course is offered, public schools must comply with 704 KAR 3:306. The regulation provides public schools with the standards to be taught in the event the course is offered.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation: The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts or school councils are required to offer this course.

(a) Initially: The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Therefore, no action is required on their part unless they offer the elective course. The Department does not typically create standards for elective courses, however, since the development of those standards was required by statute, the Department spent

approximately \$1,200.00 as of the date of filing in the development of the standards in addition to staff time. Additional staff time will be needed as the regulation moves through the legislative and implementation process. Additional staff time will be needed as the regulation moves through the legislative and implementation process.

(b) On a continuing basis: The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Additional KDE staff time will be needed as the regulation moves through the legislative and implementation process.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Local district and school funds would be used to implement this elective course if those entities choose to implement. State funds have been used to develop the standards.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This regulation does not establish any fees or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all schools and local education agencies.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 704 KAR 3:306
Contact Person: Todd Allen todd.allen@education.ky.gov
Phone number: 502-564-4474

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? Local education agencies and KDE.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.162 required the Kentucky Department of Education (KDE) to develop course standards for an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible; the New Testament; or a combination of the Hebrew Scriptures and the New Testament of the Bible. This regulation fulfills the requirements of KRS 156.162.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Therefore, no action is required on their part unless they offer the elective course. The Department does not typically create standards for elective courses, however, since the development of those standards was required by statute, the Department spent approximately \$1,200.00 as of the date of filing in the development of the standards in addition to staff time. Additional staff time will be needed as the regulation moves through the legislative and implementation process.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue.

(c) How much will it cost to administer this program for the first year? The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Therefore, no action is required on their part unless they offer the elective course. The Department does not typically create standards for elective courses, however, since the development of those standards was required by statute, the Department spent approximately \$1,200.00 as of the date of filing in the development of the standards in addition to staff time. Additional staff time will be needed as the regulation moves through the legislative and implementation process.

(d) How much will it cost to administer this program for subsequent years? The standards outlined in 704 KAR 3:306 are standards for Historical and Cultural Influences of the Bible Elective Social Studies Course. No public schools, school districts, or school councils are required to offer this course. Additional KDE staff time will be needed as the regulation moves through the legislative and implementation process.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): N/A

Expenditures (+/-): NA

Other Explanation: N/A

Summary Page - Incorporation by Reference

704 KAR 3:306. Kentucky Academic Standards for Historical and Cultural Influences of the Bible Elective Social Studies Course.

The following documents are incorporated by reference:

(1) “Kentucky Academic Standards Historical and Cultural Influences of the Bible Elective Social Studies Course”, June 2018. The document incorporated by reference consists of (18) pages. This document outlines the course standards for a Bible elective social studies course as required by KRS 156.162.